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കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Thiruvananthapuram,
Tuesday

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27th January 2026
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13th Makaram 1201
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7th Magha 1947

നമ്പർ
No. 334

SECRETARIAT OF THE KERALA LEGISLATURE
NOTIFICATION

No.KLS/96/2026-Legin1 *Dated, Thiruvananthapuram, 27th January 2026.*

THE KERALA ADVOCATES' CLERKS WELFARE FUND (AMENDMENT) BILL, 2026 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under rule 69(5) of the rules of procedure and conduct of business in the Kerala Legislative Assembly.

Dr. N. Krishna Kumar,
Secretary.

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Fifteenth Kerala Legislative Assembly
Bill No. 293

Translation in English of "2026-ലെ കേരള അഡ്വക്കേറ്റ് ക്ലാർക്ക്സ് ക്ഷേമനിധി (ഭേദഗതി) ബിൽ" published under the authority of the Governor

THE KERALA ADVOCATES' CLERKS WELFARE FUND (AMENDMENT) BILL, 2026

A

BILL

further to amend the Kerala Advocates' Clerks Welfare Fund Act, 2003.

Preamble.- WHEREAS, it is expedient further to amend the Kerala Advocates' Clerks Welfare Fund Act, 2003 (27 of 2003) for the purposes hereinafter appearing;

BE it enacted in the Seventy-sixth Year of the Republic of India as follows:-

1. *Short title and commencement*.- (1) This Act may be called the Kerala Advocates' Clerks Welfare Fund (Amendment) Act, 2026.

(2) It shall come into force at once.

2. *Amendment of section 14*.- In the Kerala Advocates' Clerks Welfare Fund Act, 2003 (27 of 2003) (hereinafter referred to as the principal Act), in sub-section (1) of section 14, for the words, "value of twelve rupees" the words, "value of twenty rupees"shall be substituted.

3. *Amendment of section 17*.- In section 17 of the principal Act,-

(i) in sub-section (1), after the words "Every Advocates' Clerk in the State"the words "who has not completed fifty years of age on the date of application"shall be inserted;

(ii) in sub-section (5), for the words "one thousand two hundred rupees" the words "two thousand rupees"and for the words "shall be paid in three equal instalments" the words " the whole amount shall be paid in three instalments of not less than six hundred rupees"shall be substituted.

4. *Amendment of section 18*.- In section 18 of the principal Act,-

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(i) in sub-section (1), the words "and pension"shall be omitted;

(ii) in sub-section (4), for the word "payment"the words "payment of consolidated amount"shall be substituted;

(iii) for sub-section (7) , the following sub-sections shall be substituted, namely:-

"(7) The members who have attained the age of sixty years and completed eight years membership in Advocates' Clerks Welfare Fund on cessation of employment shall be entitled to receive pension from the Fund at such rates as may be prescribed:

Provided that notwithstanding anything contained in sub-section (7), the above provision shall not apply to members who has been receiving pension under the principal Act or the rules made thereunder, before the commencement of the Kerala Advocates' Clerks Welfare Fund (Amendment) Act, 2026 (—--- of 2026) and they shall be entitled to receive such increase in pension, as may be prescribed by the Government from time to time.

(8) In the event of death of a member receiving pension under the provisions of sub-section (7), the dependents of the said member shall be entitled to receive family pension from the Fund at such rates as may be prescribed.

(9) In the event of death of a member who has completed eight years of membership but has not attained the age of sixty years, the dependents of the said member shall be entitled to receive family pension from the Fund at such rates as may be prescribed:

Provided that notwithstanding anything contained in sub-sections (8) and (9), the above provision shall not apply to the dependents who has been receiving family pension under the principal Act or the rules made thereunder, before the commencement of the Kerala Advocates' Clerks Welfare Fund (Amendment) Act, 2026 (—--- of 2026) and they shall be entitled to receive such increase in pension, as may be prescribed by the Government from time to time.

(10) A member whose employment has been ceased and received pension and other benefits shall not be eligible for re-admission to the Fund.".

STATEMENT OF OBJECTS AND REASONS

In order to find financial resources for the pension and retirement benefits of Advocates' Clerks, the Government have decided to amend sub-section (1) of section 14 and sub-section (5) of section 17 of the Kerala Advocates' Clerks Welfare Fund Act, 2003 (Act 27 of 2003), to increase the value of the Kerala Advocates' Clerks Welfare Fund stamp from existing 12 rupees to 20 rupees and to increase the annual subscription payable by each member to the welfare fund from existing 1,200 rupees to 2,000 rupees to achieve the above said purpose.

2. As per sub-section (1) of section 17 of the said Act, at present no age limit has been prescribed for an Advocates' Clerk in the State to become a member of the Fund,

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and accordingly there exists a situation where Advocates' Clerks of any age can avail the benefits and pension from the fund by becoming a member of the said Fund. In order to overcome this situation, the Government have decided to amend sub-section (1) of section 17 of the said Act to introduce a condition that an Advocates' Clerk who has exceeded the age of fifty years on the date of application shall not be eligible for membership in the said Fund.

3. As sub-section (1) of section 18 of the Kerala Advocates' Clerks Welfare Fund Act, 2003, provides that a member of the Fund shall, on cessation of employment, be entitled to receive from the Fund a consolidated amount and pension at such rates as may be prescribed based on the number of years of service rendered by him as an Advocates' Clerk, there exists a situation to pay pension to all members retiring from the Fund based on the number of years of service rendered, causing huge financial burden for the Welfare Fund Committee and in order to avoid this situation, the Government have decided to amend section 18 of the said Act to provide for a criteria in the Act for the payment of pension for the members.

4. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill, which is proposed to amend sub-section (7) of section 18 of the principal Act, empowers the Government to determine the rate of pension to be paid, based on the number of years of service rendered by him as an Advocates' Clerk, from the Fund, to members who have completed the age of sixty years and have completed eight years of membership in the Advocates' Clerks Welfare Fund.

Clause 4 of the Bill, which is proposed to amend sub-section (8) of section 18 of the principal Act, empowers the Government to determine the rate at which family pension is to be paid, from the Fund, to the dependents of a member, who has been receiving pension after completing the age of sixty years and eight years of membership in the Advocates' Clerks Welfare Fund.

Clause 4 of the Bill, which is proposed to amend sub-section (9) of section 18 of the principal Act, empowers the Government to determine the rate at which family pension is to be paid, from the Fund, to the dependents of a member who has completed eight years of membership in the Advocates' Clerks Welfare Fund but has died before

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attaining the age of sixty years.

The matters in respect of which rules may be made are matters of procedure and are of routine or administrative in nature. Further, such rules, so made are subject to the scrutiny of the Legislative Assembly. Hence, the delegation of legislative power is therefore of a normal character.

P. RAJEEVE.

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